



ENVIRONMENTAL & REGULATORY SERVICES DIVISION  
BUREAU OF PECFA  
P.O. Box 8044  
Madison, Wisconsin 53708-8044  
TDD #: (608) 264-8777

Jim Doyle, Governor  
Jack L. Fischer, A.I.A., Secretary

## Wisconsin Department of Commerce, Bureau of PECFA Bid Document

### SECTION 1 - Scope of Work

The Bureau of PECFA is seeking competitive bids to perform remedial services for a petroleum release from a regulated petroleum product storage tank system. This bid is for a specified work scope. The site upon which bids are being solicited is:

**Bid Round:** 54  
**Comm #:** 54880-1453-00-B  
**BRRTS #:** 03-16-000059  
**Site Name:** ABC Rail Corp  
**Site Address:** 2700 Winter St, Superior, 54880  
**Site Manager:** Chris Saari  
**Address:** 2501 Golf Course Rd  
**City, State Zip:** Ashland, WI 54806-3505  
**Phone:** 715-685-2920  
**e-mail:** christopher.saari@wisconsin.gov  
**Bid Manager:** Will M. Myers  
**Address:** P.O. Box 8044  
**City, State Zip:** Madison, Wisconsin 53708-8044  
**Phone:** (608) 261-7718  
**e-mail:** Will.Myers@Wisconsin.Gov

<b>Bid-Start Date:</b>	<b>April 07, 2008</b>
<b>Questions must be received by (See Section 2 (B)):</b>	<b>April 21, 2008, 4:00 PM</b>
<b>Responses will be posted by (See Section 2 (B)):</b>	<b>May 09, 2008</b>
<b>Bid-End Date and Time:</b>	<b>May 23, 2008, 4:00 PM</b>

The case file, including report(s) and other pertinent information upon which bids are being sought, are available for review at the Site Manager's location listed above. Please contact the Site Manager for an appointment to review the file.

Copies of report(s) and other pertinent information are available for purchase at the location listed below. If pertinent information is not available, please contact the Site Manager.

**The Copy Shop-Ashland, 310 Stuntz Ave, Ashland, WI 54806**  
**Phone: (715) 682-6567 Fax: (715) 682-6551**

## **SECTION 2 – Site-Specific Bid Requirements**

### **General Comments**

This is a scope of work bid.

The site is a former rail switch manufacturing facility. Investigative and remedial activities related to a 500-gallon gasoline UST began in 1989, and have included soil and groundwater sampling and free product removal. Both petroleum and non-petroleum contaminants have been detected in groundwater at this site.

A remedial system (free product skimmer and total fluids recovery pump) was installed at the site in 1990, but the Department of Natural Resources has very little information on the construction, operating history or effectiveness of this system.

Soil at the site consists of clay, sandy clay and silt overlying fine sand.

Depth to groundwater ranges from 12 to 19 feet below ground surface, and flow has been determined to be towards the west-northwest. The hydraulic conductivity for the fine sand stratum was calculated at  $2.41 \times 10^{-3}$  cm/sec.

### **Minimum Remedial Requirements**

The following tasks are to be completed within nine months of initiating this scope of work.

Conduct a review of the DNR case file, and based upon this review, prepare a remedial action options report consistent with the requirements of ch. NR 722, Wis. Adm. Code. The report shall present remedial options to address residual soil contamination as well as dissolved phase and non-aqueous phase groundwater contamination.

Conduct free product removal consistent with the requirements of s. NR 708.13, Wis. Adm. Code. Reliance on manual bailing and/or passive collectors will not be acceptable to accomplish this task. Free product was encountered in wells RW-1, MW-3, TW-1, MW-5 and TW-7 during the most recent monitoring event.

During the nine-month period of this scope of work, conduct three rounds of groundwater monitoring (one round for selected wells) according to the schedule provided below. Groundwater samples from monitoring wells listed in the "Quarterly" row shall be analyzed for volatile organic compounds (VOC) using a method that includes acetone, 1,2-dibromoethane, 1,2-dichloroethane, methyl ethyl ketone, tetra-hydrofuran, tetra-chloroethene and naphthalene. Groundwater samples from wells in the "Annual" row shall be analyzed for petroleum volatile organic compounds (PVOC). For purposes of writing the bid response, the cost for groundwater VOC analyses shall be proposed based on an analytical cost estimate for PVOC plus 1,2-dibromoethane, 1,2-dichloroethane and naphthalene; the difference between the actual VOC cost and the estimated "PVOC plus" cost will not be eligible for reimbursement. Water table elevations (depth below ground surface (in feet)), shall be measured from all monitoring wells during each sampling event. The Department of Natural Resources will consider reducing the number of monitoring wells and/or analytical parameters to be sampled if monitoring data collected in the future supports such a reduction.

Monitoring Well	Sampling Frequency
MW-1, MW-5*, MW-7, MW-8D, MW-10, MW-11, MW-12, MW-13	Quarterly for VOC
MW-4, MW-6, MW-8, MW-9	Annual for PVOOC

\* This well shall be sampled if free product is not present.

Abandon monitoring well TW-5a in accordance with the requirements of ch. NR 141, Wis. Adm. Code.

Upon completion of the scope of work tasks, prepare and submit the remedial action options report. In addition to the discussion and evaluation of potential remedial action options, this report shall include updated summary results tables of groundwater samples, groundwater flow maps specific to each sampling event, and a summary of the free product removal efforts. Copies of all reports prepared under this scope of work shall be submitted to the respective project managers at the Departments of Natural Resources and Commerce.

### SECTION 3 - Reporting Timeframes

Within *60 days* of the Commerce notification of the maximum reimbursement amount, the responsible party (RP) must execute a written contract with one of the firms that submitted a bid. Failure to execute the written contract within this time will result in ineligibility of interest expenses incurred from the date of the reimbursement cap letter until a contract is executed and work commences at the site. Work must commence within *45 days* of signing a contract. There are specific reporting requirements in Comm 47.70 to monitor the progress of activities at each bid site and there may be additional reporting requirements outlined above. The consulting firm that is contracted to complete the scope of work is required to report the progress of this site to Commerce electronically on the web site at each of the following points:

1. Within fourteen days of executing or terminating a contract with the RP.
2. Three months after entering into the contract with the RP.
3. Twelve months after beginning the work in the successful bid, unless the project is completed before that time (point 6 applies).
4. Twelve months after submitting the previous report (point 3), unless the project is completed before that time (point 6 applies).
5. No later than 10 days after encountering a change in circumstances (the list of circumstances is in Comm 47.70 (3)).
6. No later than 30 days after completing the work.
7. As directed by Commerce.

If Commerce determines that the consulting firm is failing to make adequate progress to complete the scope of work, Commerce will notify the RP and may reduce the reimbursement to accurately reflect the work completed.

### Claim Submittal

A claim must be submitted to Commerce within 120 days of submitting the report described in *Reporting Timeframe, point #6*. If a claim is not submitted by the deadline described above, interest costs from the date the report (point #6) is submitted to the date the claim is received will not be reimbursed to the claimant. The claim preparation cost must be included in the Total Bid Amount and is considered within the reimbursement cap.

### Questions and Answers

Questions, answers and interpretations will be considered an amendment of this solicitation. All questions must be submitted in writing (fax and electronic mail submittals are acceptable) to the Bid Manager identified in Section 1 of this solicitation. All answers and interpretations shall be in writing from the Bid Manager. Neither the PECFA program nor Commerce shall be legally bound by any amendments or interpretations that are not in writing. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid End Date. No further questions will be addressed after the deadline for submitting questions identified in Section 1.

### **SECTION 4 - Conditions of Bid**

The successful bidder will be the entity that complies with all provisions of the bid and provides the lowest total cost, excluding interest, for the site-specific bid requirements described in Section 2. In preparing the bid, the bidder must assume compliance with all applicable codes, including, but not limited to, §Comm 46, §Comm 47, and §NR 700 Wis. Admin. Codes.

The bid Commerce selects to determine the least costly method of remedial action will be the least costly qualified bid. Commerce will rank the bids solely on the basis of cost. Evaluation of bids will continue until the least costly qualified bid is identified. Submittals from an individual or firm during their period of disqualification from bidding, submittals received late and for submittals without a certified commitment (performance assurance and/or signature) will not be considered as bids. Commerce may disqualify a bid for the following reasons:

- Requirements of the bid specifications have not been met.
- The remedial strategy is not appropriate to the geologic setting.
- A Total Bid Amount is insufficient to fund the activities described in the bid specifications.

Commerce reserves the right to reject any and all bids.

Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the agency with jurisdiction (Natural Resources or Commerce).

The bidder Commerce intends to select may be required to provide input to and attend a meeting with the PECFA program and the claimant to explain the bid and remedial approach.

If a bid is disqualified, Commerce will provide written notification to any individual or firm that submitted a disqualified bid. The notification shall specify the reasons for the

disqualification, and inform the individual or firm of their right to protest or appeal the decision. If a bid is more costly than the bid Commerce intends to select, the bid will not be reviewed.

The *Notice of Intent* will identify the least costly bid, disqualified bid(s) and bid(s) not reviewed. The *Notice of Intent* will be sent to the RP and will be posted on PECFA's Internet Web site.

## **SECTION 5 - Instructions to Bidders**

Between the bid start and end dates, bidders shall not discuss or attempt to negotiate any aspects of the bid with the RP, other potential bidders or program staff without prior approval of the Bid Manager identified in Section 1. Infractions will result in rejection of the violator's bid and may result in a formal complaint being filed with the Department of Regulation and Licensing.

If access to the site is necessary for the preparation of a bid, access shall be arranged through the Bid Manager. If the Bid Manager is not able to arrange site access, this will not delay the bid process nor negate the comparison and selection from among the bids submitted. All costs associated with a site visit or preparation of a bid will be the bidder's responsibility.

The Bidding Process must conform to the following:

1. The Bid Response shall address all the site-specific bid requirements identified in Section 2.
2. The total bid amount to accomplish the stated goal must include all fees, reporting costs, pre- and post-closure costs and costs for establishing restrictions or institutional controls, when applicable (interest costs are excluded).
3. The submittal must include a copy of the Bid Response document signed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin. The appropriate registration number of the professional license must be included. Registration requirements are listed in Comm 5.
4. Bids *cannot* be faxed or sent electronically (email) to the program. Documents received by fax or email will not be considered.
5. Bids, amendments thereto or withdrawal requests must be received by 4 pm on the bid end date.
6. The consulting firm's name must be included and all pages of the Bid Response.
7. All costs must be printed (ink, typewritten or computer). Errors must be crossed out, corrections entered and initialed by the person signing the bid. Correction fluid is not allowed. No bid shall be altered or amended after the time specified for the bid end date.
8. Each bidder shall fully acquaint themselves with conditions relating to the scope and restrictions attending to the execution of the work under the conditions of this bid. The failure of a bidder to acquaint themselves with existing documented conditions shall in no way relieve any obligation with respect to this bid.
9. All amendments to and interpretations of this bid shall be in writing from the Bid Manager. Neither Commerce nor the program shall be legally bound by any amendment or interpretation that is not in writing.

10. This bid is intended to promote competition. If the language, specifications, terms and conditions, or any combination thereof restricts or limits the requirements in this bid to a single source, it shall be the responsibility of the interested bidders to notify the program in writing so as to be received five days prior to the opening date. The bid may or may not be changed; however a review of such notification will be made prior to award.

## **SECTION 6 - Bidder Disqualification**

Commerce may disqualify from public bidding any individual or firm that has committed any of the following (Comm 47.67 (1) (a)):

1. Failed to complete the scope of work within the reimbursement cost cap established through public bidding.
2. Failed to complete the scope of work in a bid in a timely manner.
3. Failed to follow DNR rules on the bid project.
4. Received one or more notices from Commerce under s. Comm 47.62 (2) that assess the financial management of an investigation as unacceptable.
5. In any prior occurrence that has been publicly bid, failed to do either of the following:
  - a. Pay subcontractors after receiving payment for them.
  - b. Obtain lien waivers on or before the date of the final payment by the RP or the PECFA program, from all subcontractors paid under subd. 5. a.
6. Failed to execute a contract with the RP as required in s. Comm 47.69 (1).
7. Failed to commence work within 45 days after executing a contract, as required in s. Comm 47.69 (3).

Commerce may disqualify any individual or firm from performing further work on a project if the individual or firm has not completed any of the six reporting points required in Comm 47.70 and outlined in Section 2 of this bid document. Commerce will review and address the issue as stated in Comm 47.70 (4).

## BID RESPONSE

(1<sup>st</sup> Page)

Department of Commerce PECFA Program

**SITE NAME: ABC Rail Corp**

**COMMERCE #: 54880-1453-00**

**BRRTS #: 03-16-000059**

Submit Bid Response To: Cathy Voges  
Public Bid Response  
Department of Commerce PECFA Bureau  
201 W Washington Ave, Madison WI 53703-2760 or  
PO Box 8044, Madison WI 53708-8044

Consulting Firm Name: \_\_\_\_\_

Complete Mailing \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: (     ) - \_\_\_\_\_

Fax Number: (     ) - \_\_\_\_\_

E-mail Address: \_\_\_\_\_

Bidder (check one that applies):

<input type="checkbox"/>	Professional Engineer	License #	_____
<input type="checkbox"/>	Professional Geologist	License #	_____
<input type="checkbox"/>	Hydrologist	License #	_____
<input type="checkbox"/>	Soil Scientist	License #	_____

Total Bid Amount: \$ \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

I certify that I have the authority to commit my organization or firm to the performance of the bid I have submitted.

Signature: \_\_\_\_\_

Personal information you provide may be used for secondary purposes [Privacy Law, s. 15.04(1)(m)].

**BID RESPONSE**

**(3<sup>rd</sup> Page)**

Department of Commerce PECFA Program

**SITE NAME: ABC Rail Corp**

**COMMERCE #: 54880-1453-00**

**BRRTS #: 03-16-000059**

**Consulting Firm Name:** \_\_\_\_\_

**This response must address all of the site-specific requirements identified in Section 2, and shall support in detail the remedial strategy. Attach additional pages if necessary. *The Commerce Number and Consulting Firm name must be included on all additional pages.* The pages of each Bid Response must be *stapled* together. No paper clips or spiral bindings please.**